

## **SCHEDULE A**

SCHEDULE "A"  
AUTHORITY FOR THE TAKING

The property is taken under and in accordance with the Act of Congress approved on February 26, 1931, as 46 Stat. 1421 and codified at 40 U.S.C. Section 3114, and the Act of Congress approved August 1, 1888, as 25 Stat. 357 and codified at 40 U.S.C. Section 3113, and any acts supplementary thereto and amendatory thereof; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, Stat. 3009-546, 3009-554, as amended and codified at 8 U.S.C. Section 1103(b) & note; and the Act of Congress approved October 4, 2006, as Public Law 109-295, Title II, 120 Stat. 1355, which appropriated the funds which shall be used for the taking.

## **SCHEDULE B**

SCHEDULE "B"  
PUBLIC PURPOSE

The public purpose for which said land is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, and related structures designed to help secure the United States/Mexico border within the State of Texas.

## **SCHEDULE C**

SCHEDULE "C"  
LEGAL DESCRIPTION  
FEE, EXCLUDING MINERALS

Cameron County, Texas

Tract: RGV-HRL-3004 Owner: Francisco Montalvo, Jr., et al. Acres: 1.32

BEING a certain tract of land containing 1.32 acres, more or less, out of the North 7.92 acres of Block 62 and an additional 6.5 acres of Block 62, Los Indios Irrigated Land Company's Subdivision of the Concepcion de Carricitos Grant, Cameron County, Texas, and being more particularly described as follows:

BEING a strip of land approximately 55 feet in width and approximately 1,046 feet in length, which lies on the west side of the parent tract, which crosses the land of the subject owner, and contains 1.32 acres, more or less, as shown on the attached map.

IT IS THE INTENT of the foregoing description to include a part of the same land as that described in a Trustee's Deed from Cameron County Water Improvement District Number 2 to Evaristo Rosales, as Instrument No. 18833, dated September 6, 1945, filed for record December 27, 1945, and recorded in Deed Volume 365, Page 295.

Evaristo Rosales died testate and his interest in the real property was conveyed to his grandson, Francisco Montalvo, Jr., by Probate Case No. 11935, filed for record July 12, 1967 in Will Book B, with the order closing the estate being dated August 28, 1995.

The above-mentioned instruments are of record in Cameron County, Texas.

Tract: RGV-HRL-3004

SCHEDULE "C" (Cont.)  
LEGAL DESCRIPTION  
TEMPORARY WORK AREA EASEMENT

Cameron County, Texas

Tract: RGV-HRL-3004E Owner: Francisco Montalvo, Jr., et al. Acres: 2.19

BEING a certain tract of land containing 2.19 acres, more or less, out of the North 7.92 acres of Block 62 and an additional 6.5 acres of Block 62, Los Indios Irrigated Land Company's Subdivision of the Concepcion de Carricitos Grant, Cameron County, Texas, and being more particularly described as follows:

BEING a quadrilateral-shaped parcel of land with the dimensions of approximately 318'X300'X320'X296', which lies in the northeast corner of the parent tract, and contains 2.19 acres, more or less, as shown on the attached map.

IT IS THE INTENT of the foregoing description to include a part of the same land as that described in a Trustee's Deed from Cameron County Water Improvement District Number 2 to Evaristo Rosales, as Instrument No. 18833, dated September 6, 1945, filed for record December 27, 1945, and recorded in Deed Volume 365, Page 295.

Evaristo Rosales died testate and his interest in the real property was conveyed to his grandson, Francisco Montalvo, Jr., by Probate Case No. 11935, filed for record July 12, 1967 in Will Book B, with the order closing the estate being dated August 28, 1995.

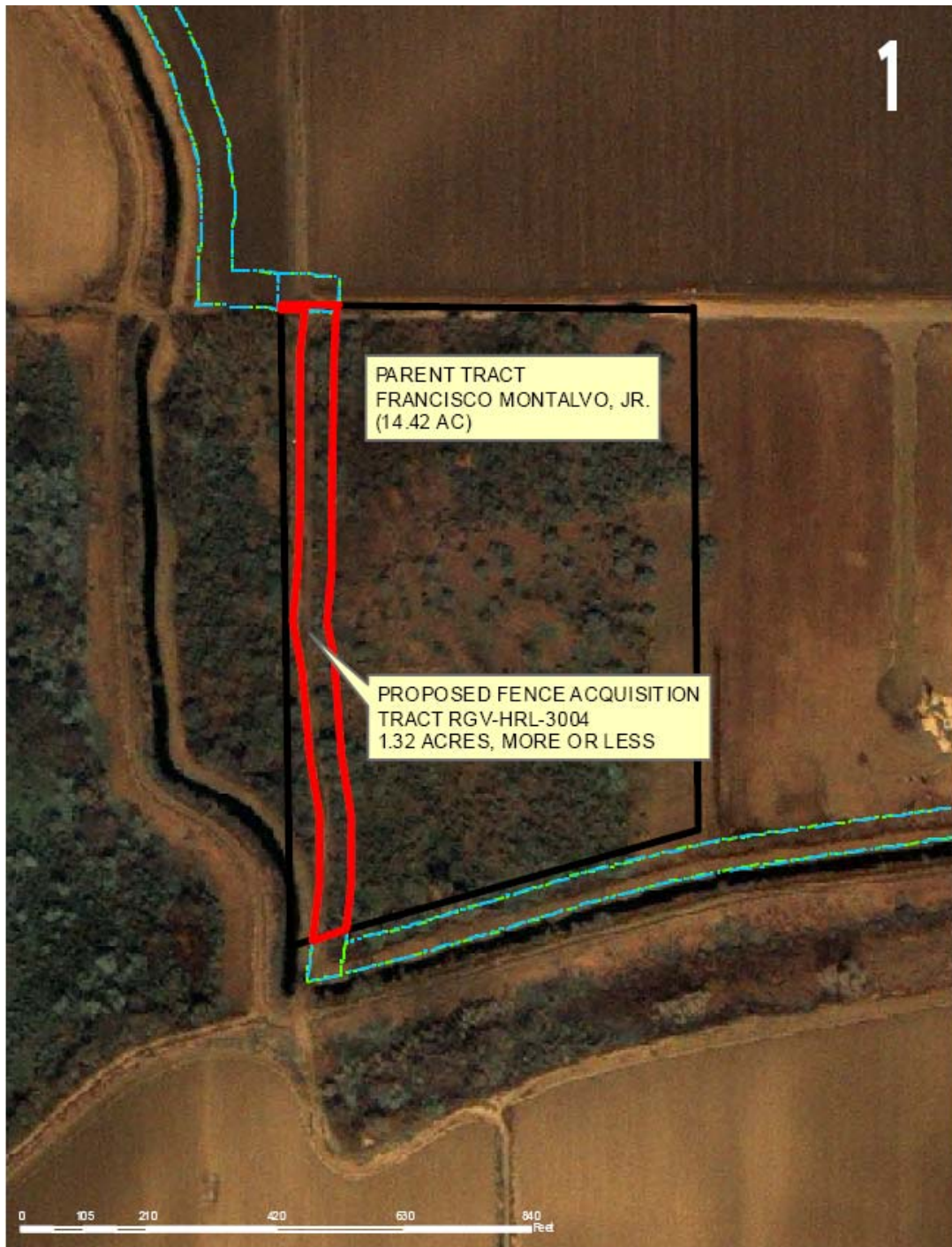
The above-mentioned instruments are of record in Cameron County, Texas.

Tract: RGV-HRL-3004E

## **SCHEDULE D**



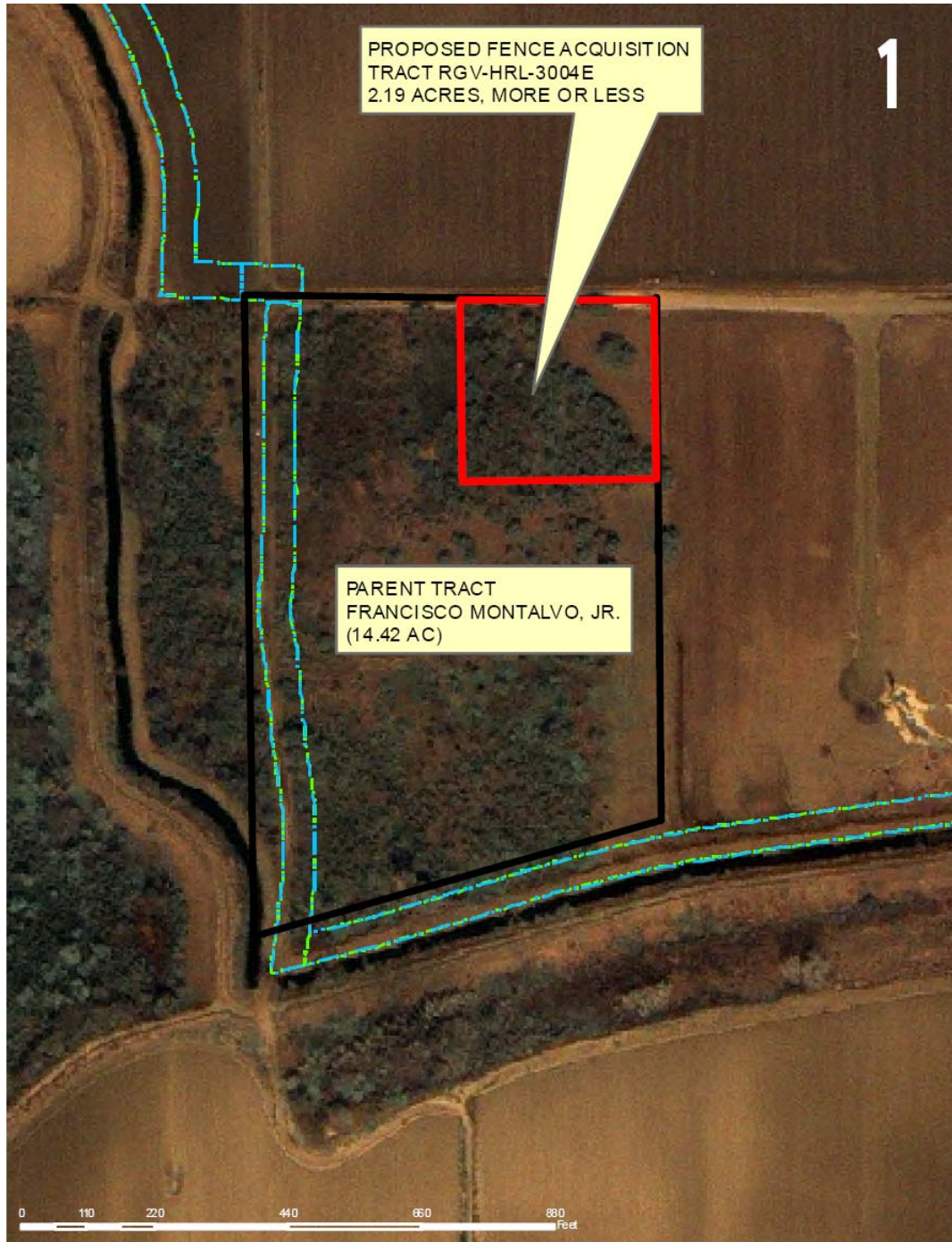
SCHEDULE "D"  
FEE, EXCLUDING MINERALS



LAND TO BE CONDEMNED

Tract: RGV-HRL-3004  
Owner: Francisco Montalvo, Jr., et al.  
Acreage: 1.32  
Cameron County, TX  
Deed Reference: Volume 365, Page 295, Instrument No. 18833, Deed of Records  
Cameron County, Texas

SCHEDULE "D" (Cont.)  
TEMPORARY WORK AREA EASEMENT



LAND TO BE CONDEMNED

Tract: RGV-HRL-3004E  
Owner: Francisco Montalvo, Jr., et al.  
Acreage: 2.19  
Cameron County, TX  
Deed Reference: Volume 365, Page 295, Instrument No. 18833, Deed of Records  
Cameron County, Texas

## **SCHEDULE E**

SCHEDULE "E"  
ESTATE TAKEN

FEE, EXCLUDING MINERALS

Cameron County, Texas

Tract: RGV-HRL-3004 Owners: Francisco Montalvo, Jr., et al. Acres: 1.32

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads and pipelines; excepting and excluding all interests in minerals and the rights appurtenant thereto; reserving the following rights and interests in the property being acquired by the United States as described herein: a perpetual right-of-way on both sides of the Federal border barrier for the purpose of gaining access to condemnee's land on the other side of the border barrier; and, the United States grants to the condemnee a perpetual right-of-way across other lands of the United States along and on both sides of the border barrier to reach and utilize the nearest border barrier gate for the purpose of crossing over the levee and accessing condemnee's lands on the other side. This reservation and grant does not create any new rights to traverse any part of the levee, and does not change the nature of any such rights, if any, which may now exist. The purpose of this provision is to clarify that the United States is not prohibiting access to condemnee's remaining lands between the border barrier and the Rio Grande River, but is providing a permanent right-of-way to condemnee and all landowners similarly situated to access the nearest border barrier gate which allows entry to the other side of the border barrier from which unacquired land can be accessed.



SCHEDULE "E" (Cont.)

ESTATE TAKEN  
TEMPORARY WORK AREA EASEMENT

Cameron County, Texas

Tract: RGV-HRL-3004E Owner: Francisco Montalvo, Jr., et al. Acres: 2.19

A temporary easement and right-of-way in, on, over and across the land described in Schedule "C," for a period not to exceed 24 months, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store and remove equipment and supplies; erect and remove temporary structures on the land; and to perform any other work necessary and incident to the construction of the border security project described in Schedule "B," together with the right to trim or remove any vegetative or structural obstacles that interfere with the right-of-way; subject to minerals and rights appurtenant thereto, and to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their successors and assigns, all such rights and, privileges as may be used without interfering with or abridging the rights and easement hereby acquired.

## **SCHEDULE F**

SCHEDULE "F"  
ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is  
TWELVE THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$12,500.00), to be  
deposited herewith in the registry of said Court for the use and benefit of  
the persons entitled thereto.

## **SCHEDULE G**



SCHEDULE "G"  
NAMES AND ADDRESSES OF INTERESTED PARTIES:

Francisco Montalvo, Jr.  
260 Charles Street  
Chicago Heights, IL 60411

Mr. Tony Yzaguirre, Jr.  
Cameron County Tax Assessor-Collector  
Cameron County Courthouse Admin Building  
964 East Harrison Street  
Brownsville, Texas 78522-0952